

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

| | | |
|---------------------------------------|---|---------------------------|
| MECCATECH, INC., |) | CASE NO. 8:05CV570 |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | |
| |) | |
| |) | ORDER |
| CLAUDIA KISER, SARAH SHEPHERD, |) | |
| PAT BARIL, STRATEGIC |) | |
| GOVERNMENTAL SOLUTIONS, INC., |) | |
| NEBRASKA ASSOCIATION OF |) | |
| SCHOOL BOARDS, |) | |
| |) | |
| Defendants. |) | |

This matter is before the Court on the Plaintiff's Ex Parte Application for Temporary Restraining Order, Order for Expedited Discovery, and Preliminary Injunction (Filing No. 3.) The Court has reviewed the application and finds that the ex parte application for a temporary restraining order does not satisfy the requirements of Fed. R. Civ. P. 65(b). The application, affidavit, and brief do not clearly indicate that "immediate and irreparable injury, loss, or damage will result to the applicant before the adverse party or that party's attorney can be heard in opposition." In addition, it appears that, given a reasonable amount of time, actual notice or service of process upon the defendants can be secured. Accordingly,

IT IS ORDERED:

1. The Plaintiff's Application for Temporary Restraining Order (Filing No. 3) is denied;
2. The Plaintiff's motion for expedited discovery (Filing No. 3) has been referred to Magistrate Judge F.A. Gossett, III; and

3. A hearing on the Plaintiff's motion for preliminary injunction (Filing No. 3) shall be scheduled. The Plaintiff's counsel is hereby directed to send a copy of this Order to all the Defendants at their last known addresses. Counsel for the parties shall contact my courtroom deputy, Ed Champion, 661-7377, to inform him of their availability in the upcoming month.

Dated this 3rd day of January, 2006.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge